

AUG 07 2007

Docket No. 030712-18
Serial No. 10/735,709
Page 6**REMARKS**

The Official Action dated May 7, 2007 has been received and its contents carefully noted. In view thereof, claim 1 has been amended in order to better define that which Applicant regards as the invention. As previously, claims 1-12 are presently pending in the instant application with claims 5-12 being withdrawn from further consideration by the Examiner as being directed to a non-elected invention.

Initially, Applicant wishes to confirm the election of Group I, claims 1-4 for prosecution in the instant application.

With respect to page 3 of the Office Action, claims 1-4 have been rejected under 103(a) as being unpatentable over U.S. Patent No. 6,418,137 issued to Bontu et al. in view of U.S. Patent No. 6,226,526 issued to Sakoda et al. This rejection is respectfully traversed in that the combination proposed by the Examiner neither discloses nor suggests that which is presently set forth by Applicant's claimed invention.

As can be seen from the foregoing amendments, independent claim 1 as amended recites a filter device comprising integrated means for integrating control information supplied thereto over a period up to being reset, an output an integrated value, direction determining means to which a first threshold value for determining an increasing direction and a second threshold value for determining a decreasing direction are set in advance, the direction determining means comparing these set threshold values and the integrated value respectively and outputting direction information indicative of a coincident control direction of these results of comparison, and an information generating means for generating new control information in accordance with the supply direction information and for inserting a transmission power increase signal or a transmission power decrease signal at one of the direction information output timing and the next power change timing based on the direction

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information. It is respectfully submitted that the combination proposed by the Examiner neither discloses nor remotely suggests these features.

In rejecting Applicant's claimed invention, the Examiner relies on the teachings of Bontu et al. as disclosing a filter device including integrated means and a direction determining means; however, as the Examiner appreciates, Bontu et al. fails to disclose an information generating means for generating new control information in accordance with the supplied direction information. In order to overcome such a shortcoming, the Examiner relies on the teachings of Sakoda et al. as disclosing a device wherein if the instructions of the received control signal are to control a power value in the direction of allowing it to exceed the power control range, the number of receptions of the control signal is counted, if the instructions of the control signal received thereafter are to control the power value in the direction of not allowing it to exceed the power control range, the count value of the number of receptions is decreased, and the power value is not controlled in the direction of not allowing it to exceed the power control range until the count value reaches a predetermined value. While this may be the case, it is respectfully submitted that Sakoda et al. clearly fails to disclose an information generating means for generating new control information in accordance with the supply direction information and for inserting a transmission power increase signal or a transmission power decrease signal at the direction information output timing or at the next power change timing based on the direction information as is specifically recited by Applicant's claimed invention. Consequently, it is respectfully submitted that even if the teachings of Sakoda et al. are combined with that of Bontu et al. as suggested by the Examiner, such a combination still fails to achieve that which is presently set forth by Applicant's claimed invention.

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Accordingly, it is respectfully submitted that Applicant's claimed invention as set forth in independent claim 1 as well as those claims which depend therefrom, clearly distinguish over the combination proposed by the Examiner and are in proper condition for allowance.

Therefore, it is respectfully requested that the rejection of record be reconsidered and withdrawn by the Examiner, that claims 1-4 be allowed and that the application be passed to issue.

Should the Examiner believe a conference would be of benefit in expediting the prosecution of the instant application, he is hereby invited to telephone counsel to arrange such a conference.

Respectfully submitted,



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